

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:18-cv-00497

**Doug Laney, Gary McAnally
and Chris Morgan,
individually and on behalf of all others
similarly situated,
Plaintiffs,
v.
Clements Fluids Management,
LLC., Clements Fluids South
Texas, Ltd., and Clements
Fluids Henderson, Ltd.,
Defendants.**

Before BARKER, *District Judge*

ORDER

Plaintiffs filed this lawsuit on behalf of themselves and other similarly situated employees alleging violations of the Fair Labor Standards Act, 29 U.S.C. § 207, Doc. 1. Defendants later filed a motion seeking a temporary restraining order and a preliminary injunction, Doc. 55, against plaintiffs' counsel.

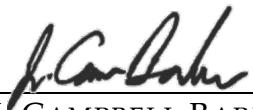
In its motion, defendants alleged that plaintiffs' counsel from the law firm Anderson Alexander, PLLC created a link inviting others to join the case and included this link on the firm's website. Those who clicked on the link were taken to a consent form, which could be signed electronically. Defendants' counsel asked plaintiffs' counsel to remove this link from their website and were initially refused. Defendants then filed the present motion.

Plaintiffs' counsel has now removed the link from their website, and it is no longer accessible. United States Magistrate Judge K. Nicole Mitchell issued a report and

recommendation, Doc. 88, recommending, in part, that defendants' motion for a TRO and preliminary injunction be denied. Defendants did not object to this recommendation. *See* Doc. 99.

This court now **adopts** this portion of Judge Mitchell's recommendation and **denies** defendants' motion for a temporary restraining order and preliminary injunction, Doc. 55, as **moot**. The court has not yet addressed Judge Mitchell's recommendations, or defendants' objections, with respect to conditional certification, Doc. 44.

So ordered by the court on August 12, 2019.



J. CAMPBELL BARKER
United States District Judge